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12
13 UNITED STATES DISTRICT COURT
14 DISTRICT OF NEVADA

15 George Lopez,
16 Petitioner,
17 v.
18 Calvin Johnson, *et al.*,
19 Respondents.

20 Case No. 2:20-cv-01496-RFB-VCF
21 **Unopposed Motion to Extend Time**
22 **to File Amended Petition**
23 **(Second request)**

1 Petitioner George Lopez respectfully moves for an extension of 90 days to file
2 his amended petition under 28 U.S.C. § 2254, up to and including August 24, 2022.
3 The amended petition is currently due on May 26, 2022.¹ Respondents, by Deputy
4 Attorney General Gerri Hardcastle, do not object to this request for an extension.
5 Respondents' lack of objection to this request should not be construed as a waiver of
6 any procedural defense or argument. This is Lopez's second request for an extension.

7 Lopez's pro se petition was filed in this Court on August 12, 2020.² The Court
8 ordered Lopez to show cause why the petition should not be dismissed as untimely.³
9 Lopez responded,⁴ and the Court found Lopez had "demonstrated both an
10 extraordinary circumstance and diligence," warranting equitable tolling.⁵ The Court
11 also appointed the Federal Public Defender's Office to represent Lopez and file a
12 counseled amended petition.⁶ The Federal Public Defender's Office appeared for
13 Lopez on October 15, 2021.⁷ Undersigned counsel appeared for Lopez on May 11,
14 2022.⁸

15 Undersigned Counsel respectfully submits that additional time is necessary to
16 properly prepare the amended petition. Undersigned counsel only recently appeared
17 for Lopez after prior counsel withdrew. Undersigned counsel will need to review this
18 case and confer with Lopez before filing his amended petition.

19

21 ¹ ECF No. 21.

22 ² ECF No. 1-1.

23 ³ ECF No. 9.

24 ⁴ ECF No. 12.

25 ⁵ ECF No. 17.

26 ⁶ ECF No. 19.

27 ⁷ ECF No. 18.

⁸ ECF No. 20.

This motion is not filed for the purposes of delay, but in the interests of justice and the interests of Lopez. Counsel respectfully asks this Court to grant Lopez's request to extend the time for filing his amended petition by 90 days until August 24, 2022.

Dated May 26, 2022.

Respectfully submitted,

Rene L. Valladares
Federal Public Defender

/s/ Ron Y. Sung

Ron Y. Sung
Assistant Federal Public Defender

IT IS SO ORDERED:

RICHARD E. BOULWARE, II
United States District Court

DATED this 26th day of May, 2022.